



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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*Trudi Thompson*

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Applicant : Kiyoshi Miyazaki, et al.  
Application No. : 10/611,359  
Filed : June 30, 2003  
Title : PETUNIA PLANT NAMED 'SUNPATIRE'  
  
Grp./Div. : 1661  
Examiner : Annette H. Para  
  
Docket No. : 50632/DBP/A400

**INFORMATION DISCLOSURE STATEMENT  
37 CFR § 1.97(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Post Office Box 7068  
Pasadena, CA 91109-7068  
July 1, 2004

Commissioner:

In compliance with the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, and in accordance with the provisions in the Manual of Patent Examining Procedure §§ 609 and 707.05(b), enclosed is FORM PTO/SB/08A/B listing the references that are known to applicant. Copies of each of the listed references are enclosed. This filing is timely because it is made during one of the periods described in 37 CFR § 1.97(b).

Applicant wishes to inform the Examiner that the petunia plant named 'Sunpatire' was first sold on September 1, 2002 in New Zealand.

It is respectfully requested that the listed references be considered in the examination of this application and identified on the list of references cited on the patent issuing for this application. Applicant also requests that an initialed copy of FORM PTO/SB/08A/B be entered

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in the application file and returned to applicant with the next communication from the Office in accordance with MPEP § 609.

It is believed that no fees are due with this submission as this is a copy of the Information Disclosure Statement filed October 3, 2003. If there are fees due, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

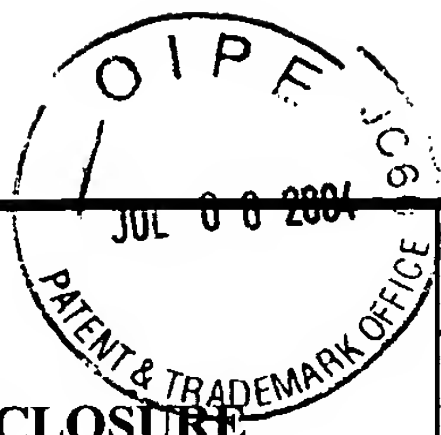
Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By Cynthia A. Bonner  
Cynthia A. Bonner  
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626/795-9900

CAB/tt

Enclosures: PTO/SB/08A/B, w/references  
TXT IRV1078384.1-\* -07/1/04 8:23 AM



**INFORMATION DISCLOSURE**

**STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Attorney Docket Number**

**50632/DBP/A400**

**Application Number**

**10/611,359**

**Filing Date**

**June 30, 2003**

**Applicant(s)**

**Kiyoshi Miyayaki, et al.**

**Group Art Unit**

**1661**

**Examiner Name**

**Annette H. Para**

**U.S. PATENT DOCUMENTS**

EXAMINER INITIALS	Cite No. <sup>1</sup>	DOCUMENT NUMBER Number - Kind Code <sup>2</sup> (If Known)	PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIALS	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (If Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup> (✓)
		Japanese Laid Open Application #14306 (filed 12.28.01) ✓	03-25-2002	Miyazaki et al.	

**OTHER DOCUMENTS**

EXAMINER INITIALS	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
		Catalogue for Profit Organization, 2002 Fall - 2003 Spring, No. 78, 5 pages, Published by Sakata Seed Co., Japan, May 2002 with English explanation ✓

✓ See Enclosed English Explanation

EXAMINER SIGNATURE		DATE CONSIDERED	
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at www.pto.gov or MPEP 901.4. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.			